

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(9)  
5-29-01  
Sc

DIANNA LYNN HARRIS

Plaintiff

v.

PENNSYLVANIA BOARD OF  
PROBATION AND PAROLE, et al.,

Defendants

CIVIL ACTION NO. 1:01-CV-0270  
(Judge Kane)

FILED  
HARRISBURG

MAY 25 2001

MARY E. D'ANDREA, CLERK  
Per. CHS  
DEPUTY CLERK

**PLAINTIFF'S MOTION FOR A CONTINUANCE OF THE  
MAY 31, 2001 CASE SCHEDULING CONFERENCE**

Plaintiff Dianna Lynn Harris, by and through undersigned counsel, hereby moves this Court for a continuance of the Case Scheduling Conference scheduled for May 31, 2001, and in support of such motion states:

1. This matter involves, among other things, claims made by plaintiff Dianna Lynn Harris against plaintiff's former employer, defendant Pennsylvania Board of Probation and Parole and several employees, alleging employment discrimination, harassment, and retaliation on the basis of plaintiff's disability, age, and gender. Defendants have denied any wrongdoing and expressly deny having engaged in any discrimination, harassment, or retaliation.
2. Plaintiff is being represented by the law firm of Mattioni, Ltd. in this matter. The attorneys responsible for primary handling of the case are Eugene Mattioni, Esquire and Joseph F. Bouvier, Esquire.
3. On or about April 6, 2001, this Court scheduled a Case Scheduling Conference to take place on May 31, 2001.

4. As of May 22, 2001, undersigned counsel, Joseph F. Bouvier, Esquire, was available to attend the Case Scheduling Conference on May 31, 2001 and planned to attend on the scheduled date. However, due to an unforeseen last-minute cancellation of a physician's videotaped trial deposition in another matter, undersigned counsel just learned that this physician's videotaped deposition had to be rescheduled for the morning of May 31, 2001, as that was the only date the doctor had available to testify for the other case.

5. Undersigned counsel then checked to see if Mr. Mattioni was available to attend the Case Scheduling Conference on May 31, 2001, but Mr. Mattioni will be out of the state in Savannah, Georgia on that date.

6. Accordingly, in light of the unavailability of either of plaintiff's attorneys to attend the conference, plaintiff respectfully requests that the Case Scheduling Conference be rescheduled for another date.

7. We have spoken with defendants' attorney concerning this request, and she has no objection to rescheduling the Case Scheduling Conference. She advised that she has a trial beginning June 4, 2001, which is expected to last for two weeks, so she asked for a rescheduling of the Case Scheduling Conference to take place after June 18, 2001, if possible. Undersigned counsel similarly has a trial beginning June 4, which may take two weeks, so undersigned counsel joins in the request for a rescheduling of the Case Scheduling Conference on a date after June 18, 2001, if possible.

8. This motion is not made in any way to unduly hinder or delay these proceedings, and is a first such motion made by plaintiff.

WHEREFORE, plaintiff respectfully requests that this Court reschedule the May 31, 2001 Case Scheduling Conference.

MATTIONI, LTD.

Dated: 5/23/01

BY: Joseph F. Bouvier  
JOSEPH F. BOUVIER, ESQUIRE

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Plaintiff

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## Defendants

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## CERTIFICATE OF CONCURRENCE

I, JOSEPH F. BOUVIER, ESQUIRE, hereby certify that I have verbally spoken with counsel for defendants in this case, Lisa W. Basial, Deputy Attorney General, about the subject matter of the present motion, and she concurs with the request for a continuance of the Case Scheduling Conference.

Joseph F. Bouvier  
JOSEPH F. BOUVIER, ESQUIRE

**CERTIFICATE OF SERVICE**

I, JOSEPH F. BOUVIER, ESQUIRE, hereby certify that a true and correct copy of Plaintiff's Motion for a Continuance of the May 31, 2001 Case Scheduling Conference was mailed by first class mail, postage prepaid, on May 23, 2001 to the following attorney:

Lisa W. Basial, Esquire  
Office of the Attorney General of PA  
15<sup>th</sup> Floor, Strawberry Square  
Harrisburg, PA 17120

  
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JOSEPH F. BOUVIER